REMARKS

Claims 1-3, 5-9, 11-16, and 18-20 are pending in the application. Independent claims 1, 7, and 13 have been amended to recite that an index of an image quality is selected and set from plural indices of the image quality common to the plural types of sending modes/routes, and the resolution corresponding to the index of the image quality and the sending mode/route differs from one sending mode/route to another and differs from one image quality to another in each of the plural types of sending modes/routes. The amendments are fully supported by the application as originally filed (see, e.g., specification at page 20, second paragraph to page 24, first paragraph).

As amended, independent claim 1 recites that an index of an image quality is selected and set "from plural indices of the image quality common to the plural types of sending modes" (*see also* independent claims 7 and 13). For example, as described on page 21, lines 12-18 of the specification, image quality levels such as coarse, standard, fine, etc. are **common** to all sending modes. Further, independent claim 1 recites that "the resolution corresponding to the index of the image quality and the sending mode differs from one sending mode to another and differs from one image quality to another in each of the plural types of sending modes." For example, as described on page 21, lines 2-7 of the specification, resolutions differ even when the same image quality is set for different sending modes.

According to the Applicants' claimed invention, a user can set a resolution corresponding to the sending mode and the selected index of the image quality (see specification at page 21, lines 18-23), thus achieving the objective of easily setting the resolution for plural types of sending modes/routes (see specification at page 3, lines 17-22).

Claims 1-3, 5-9, 11-16, and 18-20 were rejected under 35 USC §103(a) as being unpatentable over U.S. Patent 5,488,483 to Murayama et al. ("Murayama") in view of U.S. Patent 5,719,686 to Sakamoto et al. ("Sakamoto"), and further in view of U.S. Patent 6,614,551 to Peek. This rejection is respectfully traversed.

Regarding the rejection of independent claims 1, 7, and 13 over the proposed combination of Murayama in view of Sakamoto, and further in view of Peek, the proposed combination does not teach or suggest an image sending method and device in which an index of an image quality is selected and set from plural indices of the image quality common to the plural types of sending modes/routes, and the resolution corresponding to the index of the image quality and the sending mode/route differs from one sending mode/route to another and differs from one image quality to another in each of the plural types of sending modes/routes.

On page 3, last two lines to page 4, lines 1-2 of the Office Action of 11/26/2008, it was admitted that the Murayama reference does not teach or suggest the claim limitation: "wherein the resolution corresponding to the index of the image quality and the sending mode differs from one sending mode to another and differs from one image quality to another," as previously recited in independent claim 1 (*see also* independent claims 7 and 13).

On page 4 of the Office Action of 11/26/2008, FIG. 25 of Sakamoto, and column 14, lines 53-56; column 5, lines 47-52; and column 8, lines 44-63 were cited allegedly for disclosing that resolution corresponding to an index of image quality differs from one sending mode to another, and differs from one image quality to another.

In particular, on page 4, second paragraph of the Office Action of 11/26/2008, it was alleged that the resolution varies "from one image quality to another" in Sakamoto, where the ON/OFF state of the resolution lamps (superfine and fine) was cited as allegedly corresponding to the index of image quality.

Referring to FIG. 25 of Sakamoto, for a monochrome page, the resolution differs depending on the ON/OFF state of the superfine lamp and the fine lamp. However, for a color page, the resolution remains constant regardless of "image quality" (see column 14, lines 59-61 of Sakamoto).

Independent claims 1, 7, and 25 (as amended) recite that the resolution corresponding to the index of the image quality and the sending mode/route differs from one sending mode/route to another and differs from one image quality to another in each of the plural types of sending modes/routes.

In contrast, in Sakamoto, the resolution does not differ from one image quality to another "in each of the plural types of sending modes" as claimed. Instead, the resolution remains constant for a color page regardless of the ON/OFF state of the superfine lamp and the fine lamp.

Further, even if Sakamoto was somehow combined with Murayama, and further taken in view of Peek, the proposed combination would not teach or suggest the Applicants' claimed invention. For example, in Sakamoto, the image quality is adjusted by making the resolution constant and switching the quantization table according to the JPEG method. Therefore, even if Sakamoto was combined with Murayama (and/or Peek), the proposed combination would not teach or suggest that the resolution differs from one image quality to another in **each** of the plural types of sending modes *as claimed.*

It is believed that the claims are in condition for immediate allowance, which action is earnestly solicited.

Respectfully submitted,

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